party within two years, are declared to be void because special legislation and interfering with the freedom of voters.

Sale of Pledged Stock.—In Content *v.* Banner, 76 Northeastern Reporter, 913, the New York Court of Appeals, reversing both the trial court and the appellate division, holds that, where a stockbroker advances all the money and buys securities for a customer, a written notice to the customer to take up the securities so bought or supply margins for carrying them, and stating that unless he does so before a certain date the broker will sell the stock for his account and hold him responsible for the amount, is defective, where it contains no statement as to the time or place of the sale, and that in the absence of any agreement dispensing with notice, a sale on the "curb" constitutes a conversion though the customer has failed to respond on the date stated.

Construction of Anti-Trust Statute.—The anti-trust statute of Texas, requiring every railroad to furnish reasonable and equal facilities for all corporations engaged in the express business, and defining a trust as a combination of capital, skill, or acts of two or more persons to create or carry out restrictions in the free pursuit of any business, is construed in State *v.* M., K. & T. Ry. Co. of Texas, 91 Southwestern Reporter, 214, as prohibiting a contract between a railroad company and an express company whereby the latter was given exclusive privileges, and the former bound itself not to contract with others to do an express business on the road, and agreed that in case privileges should be accorded others by legislation or judicial proceedings the express company in question should have credit for the sums paid by other companies.

Vagrancy as Cause for Divorce.—The St. Louis Court of Appeals delivers a very comforting decision in Gallemore *v.* Gallemore, 91 Southwestern Reporter, 406. A provision of the Missouri Statutes declaring that every able bodied man who shall neglect or refuse to support his family shall be deemed a vagrant, and that when the husband shall be guilty of such conduct as to constitute him a vagrant the wife shall be entitled to a divorce, is construed, and it is held that where a physician of good habits endeavored to establish a practice, maintained an office where he waited for patients, and attended to such calls as he had, contributing his entire income from his practice to the support of his wife and himself, he was not a vagrant within the meaning of the statute, though he did not succeed in earning enough to support his wife and himself, and she was compelled to contribute to their support from her separate means.

Transfer and Inheritance Tax.—The doctrine that the right to take property by devise is a creature of law and not a natural right is

repudiated by the Supreme Court of Wisconsin in the case of Nunnemacher *v.* State, 108 Northwestern Reporter, 627. Judge Winslow, for the majority, admits that the contrary proposition has been stated by a great majority of the courts of this country, including the Supreme Court of the United States, and adds that "the unanimity with which it is stated is perhaps only equalled by the paucity of reasoning by which it is supported." But though the court holds as above, it is nevertheless of the opinion that the principle of inheritance taxation may be justified under the power of reasonable regulation and taxation of transfers of property. In a separate concurring opinion Judge Marshall waxes eloquent in his approval of the repudiation of the doctrine above referred to, and his opinion is well worth reading on this point.

Commerce—Interstate Commerce—Regulation of Freight Rates.—A corporation owning cars intended for the transportation of live stock indiscriminately on railroads made payments to shippers in order to promote the use of their cars. The corporation made no contracts with shippers for the use of the cars, but merely received mileage from the various railroads. The question as to whether the federal act of February 19, 1903, was violated by such transactions was brought before the United States Circuit Court for the Northern District of Illinois in the case of Interstate Commerce Commission *v.* Reichmann, 145 Federal Reporter, 236, and that court holds, in consideration of the conditions which the statute was designated to remedy, that freight rates must be construed as meaning the net cost to the shipper, and that the practice under consideration was a violation of the statute.

Religious Societies—Communistic Ownership of Property.—The right of the Amana Society of Iowa, a religious communistic association incorporated as a religious association, to engage in agricultural pursuits and in business and manufacturing enterprises, is upheld in State *v.* Amana Society, 109 Northwestern, 894. The Iowa court notes that in many instances members of religious associations have held property in common, as, for example, the Moravians, the Shakers, the Oneida Community, and more recently the Zionists, and quotes portions of the Holy Scriptures to show that the first Christians held their property in common.

MISCELLANY.

Liability of Owner of Stray Animals to Cyclists and Autoists.—Occasionally the worm will turn. The case briefly abstracted below, which comes from the land of the origin of our common law, may well arouse hopes in the hearts of autoists as well as cyclists. To